IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4531 OF 2005

Vijay Bibhishan Kale ...Applicant
vs.
State of Maharashtra ...Respondent

Ms Pranali Kakade for the Applicant
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 6,2005

P.C.:

1. It is brought to my notice that the present application pertains to C.R.No.202 of 2003 and not to C.R.No.357 of 2004. Leave to amend the C.R. number in the prayer clause.

2. The offence has been registered against the Applicant and the co-accused under Sections 397 and 302 read with section 34 of the Indian Penal Code. The learned A.P.P. on instructions pointed out that the charge has already been framed by the Sessions Court and 26th September 2005 was the first date fixed for recording of evidence. The learned A.P.P. on instructions states that the prosecution desires to examine about eight to ten witnesses.

3. Considering the material on record and involvement of the Applicant in other offences registered against him and considering the fact that trial can be concluded expeditiously, no case is made out for grant of bail at this

stage. The age of the Applicant is stated to be 19 years. It is, therefore, desirable that the trial is concluded as expeditiously as possible.

4. Hence I pass the following order :

i) Application is rejected.

ii) The learned Sessions Judge will conclude the trial as expeditiously as possible and preferably within a period of six months from today.

iii) If the trial is not concluded within a reasonable time, it will be open for the Applicant to apply for bail.

iv) Application is disposed of in above terms.

JUDGE